

PATENT AND TRADEMARK OFFICE

Page 1 of 2

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450

APPLICATION NUMBER

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

8-6-04

ATTORNEY DOCKET NUMBER

10/737,318

12/15/2003

David W. Morris

529452002800

25226 **MORRISON & FOERSTER LLP** 755 PAGE MILL RD PALO ALTO, CA 94304-1018

CONFIRMATION NO. 1869 FORMALITIES LETTER *OC000000012521649*

Date Mailed: 05/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

08/09/2004 YPOLITE1 00000010 031952 10737318

FILED UNDER 37 CFR 1.53(b)

01 FC:2051

65.00 DA

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

• \$65 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number 10/737,318 Filing Date December 15, 2003 First Named Inventor David W. MORRIS Art Unit 1645 Examiner Name Not Yet Assigned Attorney Docket Number 529452002800

I otal Number	r of Pages in This Submiss	CD's	529452002800					
ENCLOSURES (Check all that apply)								
x Fee Transmittal Form (1 page in duplicate)		Drawing(s)	After Allowance Communication to Group					
Fee /	Attached	Licensing-related Papers	Appeal Communication to Board of Appeals and Interferences					
X Amendment/Reply (3 pages)		Petition	Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)					
After	Final	Petition to Convert to a Provisional Application	Proprietary Information					
Affida	avits/declaration(s)	X Power of Attorney, Revocation Change of Correspondence Address (1 page)	Status Letter					
X Extension of Time Request (1 page)		Terminal Disclaimer	X Other Enclosure(s) (please identify below):					
Express Abandonment Request Information Disclosure Statement Certified Copy of Priority Document(s) X Response to Missing Parts/ Incomplete Application X Response to Missing Parts under 37 CFR 1.52 or 1.53		Request for Refund X CD, Number of CD(s) 2 Remarks	1. Notice to File Missing Parts – Part 2 (2 pages) 2. Declaration signed in counterpart (4 pages total) 3. Statement Under 37 CFR 3.73(b) w/copy of Assignment (3 pages total) 4. Transmittal and Statement to Support Filing (2 pages) 5. Return receipt postcard					
	SIGNATI	JRE OF APPLICANT, ATTORNEY, C	R AGENT					
Firm or Individual name	Shantanu Basu - 43 318		tomer No. 25226)					
Signature	Shartam Later							
Date	August 4, 2004							
Liberary certify that this correspondence is being deposited with the LLS. Postal Service as Evaress Mail. Airhill No. EV336622654LIS								

in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 4, 2004

PTO/SB/17 (10-03)

Approved for use through 7/31/2006, OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under Appenwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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FEE TRANSMITTAL					
for FY 2004	A F F				
Effective 10/01/2003 Patent fees are subject to annual revision	F				
Effective 10/01/2003. Patent fees are subject to annual revision.					

Applicant claims small entity status. See 37 CFR 1.27

Complete if Known 10/737,318 pplication Number December 15, 2003 iling Date David W. MORRIS irst Named Inventor **Examiner Name** Not Yet Assigned 1645 Art Unit 529452002800

TOTAL AMOUNT OF PAYMENT Attorney Docket No. 120.00 METHOD OF PAYMENT (check all that apply) FEE CALCULATION (continued) Money 3. ADDITIONAL FEES Check Other None Order X Deposit Account: Small Entity Large Entity Deposit 03-1952 Fee Account Fee Description Code (\$) Code (\$) Fee Paid Number Deposit 1051 130 2051 65 65.00 Surcharge - late filing fee or oath Morrison & Foerster LLP Account Name Surcharge - late provisional filing fee or cover 1052 50 2052 25 The Director is authorized to: (check all that apply) X Credit any overpayments X Charge fee(s) indicated below 1053 130 1053 130 Non-English specification 1812 2,520 1812 2,520 For filing a request for ex parte reexamination Charge any additional fee(s) or any underpayment of fee(s) Requesting publication of SIR prior to 1804 9201 1804 Charge fee(s) indicated below, except for the filing fee Examiner action Requesting publication of SIR after to the above-identified deposit account. 1805 1.840 1805 1.840 Examiner action **FEE CALCULATION** 1251 110 2251 55 Extension for reply within first month 1. BASIC FILING FEE 1252 420 2252 210 Extension for reply within second month 55,00 Large Entity Small Entity 1253 950 2253 475 Extension for reply within third month Fee Fee Description Fee Paid Fee 1254 1.480 2254 Extension for reply within fourth month (\$) 1001 770 2001 385 Utility filing fee 1255 2.010 2255 1.005 Extension for reply within fifth month 1002 340 2002 170 Design filing fee 1401 330 2401 165 Notice of Appeal 1003 530 2003 265 Plant filing fee 1402 330 2402 165 Filing a brief in support of an appeal 1004 770 2004 385 Reissue filing fee 1403 290 2403 Request for oral hearing 1005 160 2005 Provisional filing fee 1451 1,510 1451 1,510 Petition to institute a public use proceeding 1452 110 2452 Petition to revive - unavoidable **SUBTOTAL (1)** | (\$) 0.00 1453 1,330 2453 Petition to revive - unintentional 665 1501 1,330 2501 Utility issue fee (or reissue) 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE Extra Fee from 1502 480 2502 240 Design issue fee Fee Paid Claims below Total Claims 72 -72** = 0 9.00 0.00 1503 640 2503 320 Plant issue fee Independent 1460 130 1460 130 Petitions to the Commissioner 30 -30** = 0 43.00 0.00 Processing fee under 37 CFR 1.17(g) Multiple Dependent 145.00 0.00 1807 50 1807 50 1806 Submission of Information Disclosure Stmt 1806 180 180 Large Entity Small Entity Recording each patent assignment per Fee Description 8021 40 8021 40 Code (\$) Code (\$) property (times number of properties) Filing a submission after final rejection 1202 2202 Claims in excess of 20 18 9 1809 770 2809 385 (37 ČFR 1.129(a)) 1201 86 2201 Independent claims in excess of 3 For each additional invention to be 1810 770 2810 385 1203 290 2203 Multiple dependent claim, if not paid examined (37CFR 1.129(b)) 1204 86 2204 ** Reissue independent claims 1801 770 2801 Request for Continued Examination (RCE) over original patent Request for expedited examination 1802 900 1802 900 1205 18 2205 Reissue claims in excess of 20 of a design application and over original patent Other fee (specify) SUBTOTAL (2) (\$) *Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 120.00

SUBMITTED BY			(Complete (if applicable))			
Name (Print/Type)	Shantanu Basu	Registration No. (Attorney/Agent)	43,318	Telephone	(650) 813-5995	
Signature	Theenterny Son			Date	August 4, 2004	

**or number previously paid, if greater; For Reissues, see above